

The facts, legal issues, and causes of action asserted by the parties in the present matter are substantially similar to those in the cases of Beritelli, et al. v. Wells Fargo Bank, N.A., et al., No. 1:11-cv-00179-MR (W.D.N.C.), and Boydell, et al. v. Wells Fargo Bank, N.A., et al., No. 2:12-cv-00035-MR (W.D.N.C.), and the same attorneys appear on behalf of the Plaintiffs in each of these actions. Even though these cases have not been consolidated, and were in fact previously severed [see Civil Case No. 1:11-cv-00179-MR, Doc. 83], the Orders of this Court previously entered in


Beritelli and Boydell address and dispose of all of the issues raised by the motions currently before the Court in this matter. The Orders in Beritelli and Boydell, therefore, are incorporated herein, and the current motions will be disposed of in accord therewith.

### **ORDER**

**IT IS, THEREFORE ORDERED** that the Defendants' Motions to Dismiss [Docs. 10, 13] are **GRANTED IN PART** and **DENIED IN PART**. Specifically, with respect to the Plaintiff's claim for negligent misrepresentation, the Motions to Dismiss [Docs. 10, 13] are **GRANTED** and this claim is **DISMISSED**. In all other respects, the Motions to Dismiss [Docs. 10, 13] are **DENIED**.

**IT IS SO ORDERED.**

Signed: September 30, 2013

  
Martin Reidinger  
United States District Judge

